

REMARKS

Applicants have carefully reviewed the Application in light of the Office Action dated May 30, 2008. Claims 1-30 are currently pending. Claims 1-30 have been amended. New matter has not been added with the amendments to the claims. Applicants respectfully request reconsideration of the application in accordance with the following remarks.

Section 103 Rejections

The Office Action rejects claims 1-4, 7, 8, 10, 12-15, 20-22, 24, and 26-28 under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2003/0229590 to Byrne et al. ("Byrne"), in view of U.S. Publication No. 2002/0120846 to Stewart et al. ("Stewart"), U.S. Publication No. 2003/0208556 to Friedman et al. ("Friedman"), and U.S. Publication No. 2004/0148203 to Whitaker et al. ("Whitaker"). Applicant respectfully disagrees that the claims are unpatentable over the cited references.

Amended claim 1 recites:

sending an electronic notification to the payor that the payment has been authorized, if the payment is authorized, wherein the electronic notification is provided to the payor from a website of the biller without disclosing that the authorization was obtained by anyone other than the biller, and wherein the electronic notification is formatted in a predefined format specified by the biller such that the electronic notification appears, to the consumer, to be generated by the biller.

The Byrne reference fails to teach that an electronic notification is provided to a payor from a website of a biller without disclosing that authorization was obtained by anyone other than the biller and that an electronic notification is formatted in a predefined format specified by a biller such that the electronic notification appears, to the consumer, to be generated by the biller. Instead, the Byrne reference merely teaches that payment confirmation emails may be automatically sent to customers (Byrne, paragraph 0045). This is not the same as providing a notification without disclosing that authorization was obtained by anyone other than the biller and in a predefined format specified by a biller such that the electronic notification appears, to

the consumer, to be generated by the biller. Therefore, the Bryne reference fails to teach all the features of claim 1. The Stewart reference does not teach at least this feature of the claim and the Office Action does not provide an indication of any portion of the Stewart reference that is asserted to teach this feature.

The Friedman reference also fails to teach an electronic notification is provided to a payor from a website of a biller without disclosing that authorization was obtained by anyone other than the biller nor does the Office Action include any indication of any portion of the reference asserted to teach this feature. The Office Action states that the Friedman reference teaches an electronic notification in a format familiar and recognizable because a web server is able to emulate the look and feel of a vendor's web page and it would be obvious to combine Bryne with this feature as a combination of old elements. Applicant respectfully disagrees with the characterization of this feature. The Friedman reference teaches that web pages for selection of greeting cards appear to be an extension of the website from which the network user was most recently connected (Friedman, paragraph 0071). Merely having a website that is customized to look like a vendor's webpage (Friedman, paragraph 0071), is not the same as determining whether a payment should be authorized and then sending to a payor an electronic notification that is formatted in a predefined format specified by a biller such that the electronic notification appears, to the consumer, to be generated by the biller and where an electronic notification is provided from a website of a biller without disclosing that authorization was obtained by anyone other than the biller. Thus, the Friedman reference fails to teach all the features of claim 1.

The Whittaker reference fails to teach these features and the Office Action does not include a citation to any portion of the reference that is asserted to teach this feature. Accordingly, claim 1 and its corresponding claims are allowable over the cited references.

Independent claims 13-16 and 18-20 include limitations that are similar to claim 1. Accordingly, for at least the reasons mentioned in conjunction with claim 1, claims 13-16 and 18-20 and their corresponding dependent claims are allowable over the cited art.

Claims 5, 6, and 9, which depend on claim 1, were rejected as being unpatentable over Byrne and Stewart, and further in view of U.S. Patent No. 6,493,685 to Ensel et al. (Ensel). Claim 11, which depends on claim 1, was rejected as being unpatentable over Byrne and Stewart, and further in view of U.S. Patent No. 6,119,106 to Mersky et al. ("Mersky"). Claims 16 and claims 17 and 29, which depend on claim 16, were rejected as being unpatentable over Byrne, in view of Stewart, U.S. Publication No. 2002/0029194 to Lewis et al. ("Lewis"), and Whitaker. Claims 18, 19, and 30, which depends on claim 19, were rejected as being unpatentable over Byrne, in view of Stewart, Mersky, Friedman, and Whitaker; and claims 23 and 25, which depend on claim 20, were rejected as being unpatentable over Byrne and Stewart, and further in view of Mersky. For at least the reasons mentioned in connection with claims 1, 16, and 18-20, the Byrne and Stewart reference fail to teach all the features of claims 1, 16, and 18-20 and their corresponding dependent claims. The additional cited references fail to rectify the deficiencies of the Byrne and Stewart references. Accordingly, claims 1, 16, and 18-20 and their corresponding dependent claims are allowable over the cited references.

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

If any extension of time is required, Applicant hereby requests the appropriate extension of time. Please apply any charges or credits to deposit account 05-0765.

Respectfully submitted,

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